

1 RALPH J. SWANSON, CA STATE BAR NO. 67751  
2 LAURA PALAZZOLO, CA STATE BAR NO. 210954  
3 BERLINER COHEN  
4 TEN ALMADEN BOULEVARD  
5 ELEVENTH FLOOR  
6 SAN JOSE, CALIFORNIA 95113-2233  
7 TELEPHONE: (408) 286-5800  
8 FACSIMILE: (408) 998-5388  
9 [ralph.swanson@berliner.com](mailto:ralph.swanson@berliner.com)  
[laura.palazzolo@berliner.com](mailto:laura.palazzolo@berliner.com)

7 ATTORNEYS FOR DEFENDANTS DENNIS HAGOBIAN,  
8 VICTORIA HAGOBIAN, THE DENNIS HAGOBIAN RESIDENTIAL  
9 TRUST, THE VICTORIA HAGOBIAN RESIDENTIAL TRUST,  
AND YOSEMITE TECHNOLOGIES, INC., AND  
SPECIALY APPEARING FOR ROD CHRISTENSEN

10  
11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 FRESNO DIVISION

14 JOE FLORES an individual, and CONNIE  
15 FLORES an individual,  
16 Plaintiffs,  
17 vs.

CASE NO. 1:05-CV-0291 REC DLB  
STIPULATION AND ORDER  
CONTINUING HEARING DATE ON  
MOTIONS TO DISMISS

18 EMERICH & FIKE a professional corporation,  
a.k.a. EMERICH PEDREIRA & FIKE, a  
19 professional corporation, DAVID R.  
EMERICH an individual, DAVID A. FIKE an  
individual, JEFFREY D. SIMONIAN an  
individual, THOMAS A. PEDREIRA an  
individual, LAWRENCE E. WESTERLUND  
an individual, DENNIS HAGOBIAN an  
individual, is or was President, Chief Executive  
Officer, Chief Financial Officer and Chief  
Operating Officer of Yosemite Technologies,  
Inc., VICTORIA HAGOBIAN an individual,  
THE DENNIS HAGOBIAN RESIDENCE  
TRUST a trust, THE VICTORIA HAGOBIAN  
RESIDENCE TRUST a trust, DENNIS  
VARTAN an individual, SANDY L. VARTAN  
an individual, THE DENNIS VARTAN  
FAMILY TRUST a trust, JUDITH  
YERAMIAN an individual, THE LEE  
YERAMIAN EXEMPT QTIP TRUST a trust,  
THE JUDITH MARY YERAMIAN FAMILY

1 a trust, W.D. FARMING LLC a limited liability  
2 corporation, RUSSELL DAVIDSON an  
3 individual, WILLIAM DAVIDSON an  
4 individual, MICHAEL HEDBERG an  
5 individual, ROD CHRISTENSEN an  
individual, Co-Founder and Chief Technology  
Officer of Yosemite Technologies, Inc.,  
YOSEMITE TECHNOLOGIES, INC. a  
corporation, and DOES 1 through 140,  
inclusive,

6 Defendants.

7 Defendants Dennis Hagopian, Victoria Hagopian, the Dennis Hagopian Residential Trust, the  
8 Victoria Hagopian Residential Trust, Yosemite Technologies, Inc. and Rod Christensen, along with  
9 Defendants Sandy Vartan, individually, Judith Yeramian, individually and as trustee of The Judith  
10 Mary Yeramian Family Trust and The Lee Yeramian Exempt QTIP Trust, Russell Davidson, and  
11 W.D. Farming, LLC, by and through their respective undersigned counsel, join with Joe Flores and  
12 Connie Flores, Plaintiffs in pro se, to stipulate as follows:

13 1. WHEREAS on or about March 13, 2006, Plaintiffs filed their First Amended  
14 Complaint; and

15 2. WHEREAS on or about April 13, 2007, the Court issued its Order Re Status Of Stay  
16 Of Action. Pursuant to that Order, all defendants who had not yet appeared were given through  
17 May 5, 2007 (a Saturday) to respond to the First Amended Complaint; and

18 3. WHEREAS on May 4, 2007, Dennis Hagopian, Victoria Hagopian, the Dennis  
19 Hagopian Residential Trust, the Victoria Hagopian Residential Trust, Yosemite Technologies, Inc.  
20 and Rod Christensen (collectively, the "Hagopian Defendants") filed their Notice of Motion and  
21 Motion to Dismiss for Failure to State a Cause of Action, along with accompanying documents; and

22 4. WHEREAS on May 7, 2007 (the next court day after the due date), Russell Davidson  
23 and W.D. Farming, LLC joined in the Hagopian Defendants' Motion to Dismiss; and

24 5. WHEREAS on May 7, 2007 (the next court day after the due date) Sandy Vartan,  
25 individually, and Judith Yeramian, individually and as trustee of The Judith Mary Yeramian Family  
26 Trust and The Lee Yeramian Exempt QTIP Trust (collectively, the "Yeramian Defendants") filed  
27 their Motion to Dismiss Pursuant to Fed.R.Civ.Proc. 12(b); and

1       6.     WHEREAS the hearing on the Defendants' motions was scheduled for June 4, 2007;

2 and

3       7.     WHEREAS the Plaintiffs and the Defendants agreed to a continuance of the hearing  
4 date; and

5       8.     WHEREAS, no previous extension of time has been requested with regard to the  
6 Motions to Dismiss referenced herein; and

7       9.     WHEREAS the requested extension will not affect any court-ordered deadlines;

8

9

10      IT IS PROPOSED AND STIPULATED THAT:

11     1.     The hearing on the Hagopian Defendants' Motion to Dismiss, joined by Russell  
12 Davidson and W.D. Farming, LLC, shall be continued to June 18, 2007 at 10:00 a.m.; and

13     2.     The hearing on the Yeramian Defendants' Motion to Dismiss shall be continued to  
14 June 18, 2007 at 10:00 a.m.; and

15     3.     Plaintiffs shall respond to the Hagopian Defendants' Motion to Dismiss and the  
16 Yeramian Defendants' Motion to Dismiss in accordance with the Eastern District of California Local  
17 Rules based upon the June 18, 2007 hearing date.

18      IT IS SO STIPULATED.

19

20      DATED: MAY 10, 2007

BERLINER COHEN

21

22

23

24

25

26

27

28

BY: /S/ LAURA A. PALAZZOLO

RALPH J. SWANSON

LAURA PALAZZOLO

ATTORNEYS FOR DEFENDANTS DENNIS

HAGOBIAN, VICTORIA HAGOBIAN, THE DENNIS

HAGOBIAN RESIDENTIAL TRUST, THE VICTORIA

HAGOBIAN RESIDENTIAL TRUST, YOSEMITE

TECHNOLOGIES, INC.; AND

SPECIALLY APPEARING FOR ROD CHRISTENSEN

///

///

1 DATED: MAY \_\_\_, 2007

CASWELL BELL & HILLISON LLP

2

3 BY: /s/ RUSSELL G. VANROZEBOOM  
4 RUSSELL G. VANROZEBOOM

5

6 ATTORNEYS FOR DEFENDANTS SANDY VARTAN,  
7 INDIVIDUALLY, AND JUDITH YERAMIAN,  
8 INDIVIDUALLY AND AS TRUSTEE OF THE JUDITH  
9 MARY YERAMIAN FAMILY TRUST AND THE LEE  
10 YERAMIAN EXEMPT QTIP TRUST

11

12

13 DATED: MAY \_\_\_, 2007

14 CRONE ROZYNKO

15

16

17

18

19

20

21

22

23

24

25

26

27

28

3 BY: /s/ SEAN O'HALLORAN

4 SEAN O'HALLORAN  
5 ATTORNEYS FOR DEFENDANTS RUSSELL  
6 DAVIDSON AND W.D. FARMING LLC

7 DATED: MAY 10, 2007

8 BY: /s/ JOE FLORES

9 JOE FLORES  
10 IN PRO SE

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

18 BY: /s/ CONNIE FLORES

19 CONNIE FLORES  
20 IN PRO SE

21 IT IS SO ORDERED.

22

23

24

25

26

27

28

29 /s/ OLIVER W. WANGER  
30 HON. OLIVER WANGER  
31 DISTRICT COURT JUDGE